

United States Courts  
Southern District of Texas  
FILED

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JUL 14 2003

**Michael N. Milby, Clerk**



1. On May 27, 2003 the *Tittle* plaintiffs submitted their Response to Lead Plaintiff's Proposed Pretrial Scheduling Order. That Response requested that the language at the conclusion of the proposed order be amended to clarify the identity of the parties having responsibility to coordinate discovery in the consolidated cases as the ERISA and securities actions move forward.

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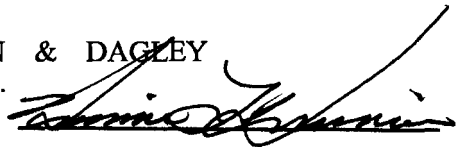
3. Accordingly, the *Tittle* plaintiffs request that the Court include the following in the scheduling order that it issues:

Recognizing that private litigants asserting securities claims have their own rights at stake, the Court orders plaintiffs' counsel in the private cases, in consultation with Lead Counsel in *Newby*, to work out a procedure by which they can participate in discovery and avoid duplication of discovery directed to common defendants. Discovery which is unique to any *Tittle* consolidated action shall proceed solely in consultation with Co-Lead counsel for *Tittle*.

Respectfully Submitted: July 11, 2003

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on this 14<sup>th</sup> day of July, 2003, he served a true and correct copy of the foregoing document on all counsel on the attached Service List via U.S. Mail, facsimile, or web site posting via the <http://www.esl3624.com> web site, pursuant to the Court's April 10, 2002, Order Regarding Service of Papers and Notice of Hearings.

/S/

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Robin L. Harrison